

BEFORE THE MINNESOTA

BOARD OF PSYCHOLOGY

In the Matter of the License of
Richard T. Colund, M.A., L.P.
License Number: LP2178

**STIPULATION AND
CONSENT ORDER**

IT IS HEREBY STIPULATED AND AGREED by Richard T. Colund, M.A., L.P.
("Licensee"), and the Minnesota Board of Psychology ("Board") as follows:

1. During all times herein, Licensee has been and now is subject to the jurisdiction of the Board from which he holds a license to practice psychology in the State of Minnesota.

FACTS

2. The Board hereby finds the following:

a. On February 26, 1993, the Board licensed Licensee to practice as a licensed psychologist in the State of Minnesota.

b. From December 17, 2009, to February 13, 2012, Licensee provided psychological therapeutic services to Client # 1.

c. On a number of occasions between January 2012 and February 2012, Client # 1 removed all of her clothing during therapy sessions. Licensee made no attempts to stop Client # 1 from disrobing.

d. On, or about, January 19, 2012, Licensee agreed to hug Client #1 while she was naked.

e. On occasions between January and February of 2012, Licensee and Client #1 engaged in conduct that could reasonably be interpreted to be sexual in nature, but which Licensee alleges he did not intend to be sexual.

REGULATIONS

3. The Board views Licensee's conduct as described in paragraph 2. above to be in violation of statutes and rules enforced by the Board. Licensee agrees that the conduct cited above constitutes a violation of Minn. Stat. § 148.941, subd. 2(a)(1) (violation of Board statutes and rules); Minn. Stat. § 148.941, subd. 2(a)(3) and Minn. R. 7200.5700 (unprofessional conduct); and Minn. R. 7200.4905, subp. 5 (sexual behavior with a patient), and constitutes a reasonable basis in law and fact to justify the disciplinary action provided for in the order.

REMEDY

4. Upon this Stipulation and all of the files, records, and proceedings herein, and without any further notice or hearing herein, Licensee agrees the Board may make and enter an order as follows:

a. The Board accepts Licensee's **VOLUNTARY SURRENDER** of his license to practice psychology in the State of Minnesota. Within 30 days of the date this Stipulation and Consent Order is adopted by the Board, Licensee shall surrender his license to the Board by delivering it personally or by first-class mail to Angelina Barnes, Executive Director, Minnesota Board of Psychology, Suite 320, 2829 University Avenue SE, Minneapolis, Minnesota 55414.

b. Licensee shall not practice, attempt to practice, offer to practice, or advertise or hold himself out as authorized to practice psychology in Minnesota and shall not use the title "psychologist" or any other designation which indicates licensure as a psychologist.

c. Licensee shall not reapply for licensure as a psychologist in Minnesota for a period of ten (10) years following the date of this stipulation. Should licensee reapply for licensure, the complaint against Licensee that gave rise to this stipulation shall be reopened and Licensee shall appear before a Board Complaint Resolution Committee to discuss the issues raised by the complaint, as well as any complaints received subsequent to the surrender of

Licensee's license. Licensee agrees that this Stipulation and Consent Order shall serve to toll the applicable statute of limitations. Further, should Licensee reapply for licensure as a psychologist in Minnesota, he must meet the requirements for licensure in effect at the time of that application. At the time of application, Licensee shall demonstrate by clear and convincing evidence that he is capable of practicing as a psychologist in a fit, competent, and ethical manner and with reasonable skill and safety to clients. Licensee shall not be relicensed in Minnesota until further order of the Board, which may include conditions and/or restrictions on Licensee's license.

5. In the event the Board in its discretion does not approve this settlement or a lesser remedy than indicated in this settlement, then, and in that event, this Stipulation is withdrawn and shall be of no evidentiary value and shall not be relied upon nor introduced by either party to this Stipulation, except that Licensee agrees that should the Board reject this Stipulation and this case proceeds to hearing, Licensee will assert no claim that the Board was prejudiced by its review and discussion of this Stipulation or of any records relating to this matter.

6. Any appropriate court may, upon application of the Board, enter its decree enforcing this order of the Board.

7. Licensee has been advised that he may choose to be represented by an attorney in this matter. Licensee is represented by Peter Van Bergen, Esq.. The Committee is represented by Hans A. Anderson, Assistant Attorney General.

8. Licensee waives all formal hearings on this matter and all other procedures before the Board to which Licensee may be entitled under the Minnesota or United States constitutions, statutes, or rules and agrees that the order to be entered pursuant to the Stipulation shall be the final order herein.

9. Licensee hereby knowingly and voluntarily waives any and all claims against the Board, the Minnesota Attorney General, and the State of Minnesota and their agents, employees, and representatives which may otherwise be available to Licensee under the Americans With Disabilities Act or the Minnesota Human Rights Act relative to the action taken or authorized against Licensee's license to practice as an alcohol and drug counselor under this Stipulation.

10. Licensee hereby acknowledges that he has read, understands, and agrees to the Stipulation and has freely and voluntarily signed the Stipulation without threat or promise by the Board or any of its members, employees, or agents. When signing the Stipulation, Licensee acknowledges he is fully aware the Stipulation is not binding unless and until it is approved by the Board. The Board may either approve the Stipulation and Consent Order as proposed, approve the Stipulation and Consent Order subject to specified change, or reject it. If the changes are acceptable to Licensee, the Stipulation will then take effect and the order as modified will be issued. If the changes are unacceptable to Licensee or the Board rejects the Stipulation, it will be of no effect except as specified herein.

11. This Stipulation and Consent Order constitutes a disciplinary action against Licensee.

12. This Stipulation and Consent Order is a public document and may be sent to all appropriate data banks.

13. This Stipulation contains the entire agreement between the parties there being no other agreement of any kind, verbal or otherwise, which varies this Stipulation.

LICENSEE



RICHARD T. COLUND, M.A., L.P.

Dated: 7/17/2014

COMPLAINT RESOLUTION COMMITTEE



SCOTT A. FISCHER, PH.D., L.P.
Committee Member

Dated: 8/21/14



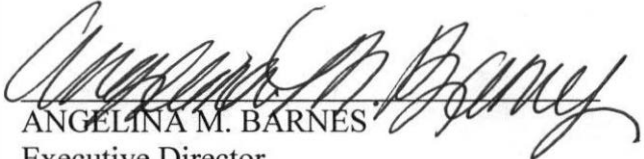
RAJA M. DAVID, PSY.D., L.P.
Committee Member

Dated: 8/22/14

ORDER

Upon consideration of this stipulation and all the files, records, and proceedings herein, the Board approves and adopts the terms of this stipulation, orders the actions set forth herein, and accepts the **VOLUNTARY SURRENDER** of Licensee's license to practice psychology in the State of Minnesota effective this 22nd day of August 2014.

MINNESOTA BOARD OF PSYCHOLOGY



ANGELINA M. BARNES
Executive Director